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Attorneys for the United States

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA, )

13 Plaintiff, )

14 v. )

15 MICHAEL YOUNG, )

16 Defendant. )  
17

No. CR 07 0559 JSW

MOTION TO ALLOW FILING OF  
SURREPLY AND RELATED PAPERS

Date: October 25, 2007

Time: 2:30 p.m.

The Honorable Jeffrey S. White

18 The United States, by and through its attorney, the United States Attorney for the  
19 Northern District of California, hereby seeks leave to file its surreply with respect to the  
20 defendant Michael Young's motion to suppress evidence and statements. As set forth in more  
21 detail in the accompanying surreply, the defendant has raised new legal arguments and asserted  
22 new facts that were not presented in his moving papers. In particular, defendant claims that he  
23 has a legitimate expectation of privacy in the hotel room, because he "paid for the room  
24 lawfully." (Defendant's Reply at 6.) This claim appears for the first time in defendant's reply  
25 and is not supported by any factual declaration. Nevertheless, in light of the potential importance  
26 of this question, the government has conducted additional investigation with regard to the nature  
27 of the credit card used by defendant to rent the hotel room. The government now seeks leave to

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1 file a surreply to address those facts and arguments. A proposed Order granting such leave to file  
2 is has also been filed in conjunction with this motion.  
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4 DATED: October 19, 2007  
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6 Respectfully submitted,

7 SCOTT N. SCHOOLS  
8 United States Attorney

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11 Assistant United States Attorney  
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